

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL GUEVARA,

Plaintiff,

v.

VALLEY STATE PRISON, et al.,

Defendants.

Case No. 1:24-cv-01290-EPG (PC)

ORDER RE: NOTICE OF VOLUNTARY
DISMISSAL

(ECF No. 9)

Plaintiff Michael Guevara is a prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.¹ On February 3, 2025, this Court issued a screening order, finding no cognizable claims, but giving Plaintiff thirty days to file an amended complaint, notify the Court that he wants to stand on his Complaint, or file a notice to of voluntary dismissal. (ECF No. 8).

On February 19, 2025, Plaintiff filed a request that his “previous case (1:24-cv-01290-EPG), be dismissed with out [sic] prejudice as requested (3) File A Notice of Voluntary Dismissal.” (ECF No. 9).

The Court construes Plaintiff’s filing as a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Therefore, this action has been terminated. Fed. R. Civ.

¹ The Defendants have not yet been served in this action.

1 P. 41(a)(1)(A)(i); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the
2 Clerk of Court is respectfully directed to assign a district judge to this case for the purposes of
3 closing the case and then to close the case.

4 IT IS SO ORDERED.

5
6 Dated: **February 21, 2025**

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE